

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1668

IN THE MATTER OF:

Served April 5, 1977

McMICHAEL SCHOOL BUS SERVICE, INC.)

Formal Complaint No. 77-1

)

v.)

Docket No. 367

)

OMNIBUS CORPORATION)

By sworn complaint filed March 24, 1977, McMichael School Bus Service, Inc. (McMichael), pursuant to Title II, Article XII, Section 13(a) of the Compact, alleges that Omnibus Corporation (Omnibus) is engaged in operations in contravention of the provisions of Title II, Article XII, Section 4(a) of the Compact.

Complainant McMichael is a Maryland corporation and holds Certificate of Public Convenience and Necessity No. 24 authorizing certain charter and special operations. Respondent Omnibus is said to be a Virginia corporation, and its office, according to the 1977 Directory published by The Chesapeake and Potomac Telephone Company of Virginia, is located at 2706 South Nelson Street, Arlington, Virginia. It holds no authority from this Commission.

Specifically, complainant asserts the following violations of the Compact:

1. Transportation for hire of persons in school-bus vehicles to and from points in the Metropolitan District;
2. Transportation for hire of persons between points in the Metropolitan District pursuant to a contract with the United States Department of the Treasury, U. S. Customs Service;
3. Transportation for hire of persons from the Hampshire Motor Inn, 7411 New Hampshire Avenue, Langley Park, Maryland, to U. S. Customs Service Academy, 3520 Prospect Street, N. W., Washington, D. C.;
4. Transportation for hire of persons between points in the District of Columbia pursuant to an agreement with the Smithsonian Institution; and
5. Transportation for hire of persons between points in the Metropolitan District pursuant to an agreement with the National 4-H Center.

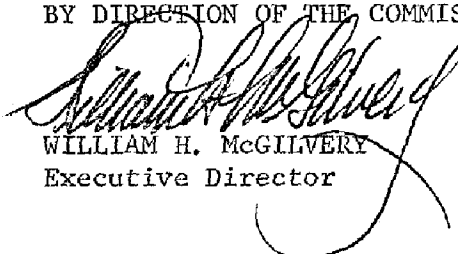
Complainant asks that an investigation be instituted, that respondent be ordered to cease and desist from continuing its alleged violations of the Compact, and that respondent be required to bear the costs of the investigation. In support of its complaint, McMichael submitted a multi-page document which appears to be a contract for transportation, entered into by U. S. Customs Department and respondent Omnibus per Lester Netherton, its president.

Based on the foregoing, the Commission concludes that there appear to be reasonable grounds for instituting an investigation into the matters complained of.

THEREFORE, IT IS ORDERED:

1. That an investigation of the matters set forth in the above-referenced complaint be, and it is hereby, instituted.
2. That McMichael School Bus Service, Inc., and Omnibus Corporation be, and they are hereby, made parties to this proceeding as complainant and respondent, respectively.
3. That respondent be, and it is hereby, directed to deliver an original and one copy of its answer to the complaint to the offices of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, on or before Wednesday, April 20, 1977.
4. That respondent be, and it is hereby, directed to serve one copy of said answer on Philip N. Margolius, Esquire, attorney for complainant, 1120 Connecticut Avenue, N. W., Washington, D. C. 20036, on or before Wednesday, April 20, 1977.
5. That the above-docketed matter be, and it is hereby, scheduled for public hearing to commence Wednesday, May 4, 1977, at 9:30 A. M. in the hearing room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
6. That expenses of the investigation shall abide the event.

BY DIRECTION OF THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director